

Message Text

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62

ACTION EB-11

INFO OCT-01 EUR-25 ISO-00 COME-00 L-03 CIAE-00 INR-10

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FM AMEMBASSY WARSAW

TO SECSTATE WASHDC 9116

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E.O. 11652: N/A

TAGS: ETRD, PL

SUBJECT: PATENTS: LEGALIZATION OF DOCUMENTS

REF: STATE 084759

1. WE HAVE NOW OBTAINED SOME ADDITIONAL INFORMATION ON POLISH PATENT LAW AND REGULATION. IN ADDITION TO LAW ON INVENTIVENESS OF OCTOBER 19, 1972, OF WHICH BEGERT HAS COPY SUPPLIED BY DEPARTMENT, FOLLOWING TWO LEGAL ACTS ARE ALSO APPLICABLE:

DECREE OF COUNCIL OF MINISTERS ON INVENTIVE PROJECTS OF DECEMBER 11, 1972 (EFFECTIVE JANUARY 1, 1973);

ENACTMENT OF THE PRESIDENT OF THE POLISH PATENT OFFICE CONCERNING PROTECTION OF INVENTIONS AND UTILITY MODELS OF DECEMBER 21, 1972 (EFFECTIVE JANUARY 12, 1973), AND THE ANNEX TO THIS ENACTMENT.

WE ARE POUCHING A SUMMARY OF THE DOCUMENTS PREPARED BY POLSERVICE, THE POLISH FOREIGN TRADE ENTERPRISE DEALING WITH PATENTS AND KNOW-HOW. WE WILL TRANSMIT FULL TEXTS WHEN WE OBTAIN THEM.

2. THE ENACTMENT CITED ABOVE APPARENTLY SETS FORTH PROCEDURAL RULES COVERING PATENT APPLICATIONS BY FOREIGNERS. ACCORDING TO POLSERVICE, THE ENACTMENT
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REQUIRES THAT FOLLOWING DOCUMENTS BE SUBMITTED BY A

FOREIGNER MAKING PATENT APPLICATION IN POLAND:

A) REQUEST

B) SPECIFICATION IN POLISH

C) CLAIMS IN POLISH

D) DRAWINGS, IF NECESSARY FOR UNDERSTANDING OF
INVENTION. IN ADDITION, FOLLOWING DOCUMENTS MUST ACCOMPANY
APPLICATION:

E) POWER OF ATTORNEY

F) ASSIGNMENT OF RIGHTS TO THE PATENT

G) INVENTOR'S DECLARATION

H) ABSTRACT OF THE INVENTION

I) PRIORITY DOCUMENT

J) ASSIGNMENT OF PRIORITY RIGHTS

K) DECLARATION ON ALLOTMENT OF PRIORITIES

3. ASSIGNMENT OF RIGHTS TO THE PATENT, FILED WHEN
INVENTOR AND APPLICANT ARE NOT SAME PERSON, MUST BE
SIGNED BY TRANSFEROR AND TRANSFEREE. SIGNATURES MUST BE
NOTARIZED AND NOTARIAL AUTHENTICATED BY POLISH CONSUL.

4. PRIORITY DOCUMENT FILED WHEN APPLICANT WISHES TO
TRANSFER RIGHTS) MUST SIMILARLY BE NOTARIZED AND
AUTHENTICATED.

5. FOLLOWING DOCUMENTS MUST BE SUBMITTED IN POLISH, OR
TRANSLATED BY A SWORN TRANSLATOR IF DRAWN UP
IN ANOTHER LANGUAGE:

A) POWER OF ATTORNEY

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B) ASSIGNMENT OF RIGHTS TO A PATENT

C) INVENTOR'S DECLARATION

D) PRIORITY DOCUMENT AND ASSIGNMENT OF PRIORITY
RIGHTS.

POLSERVICE CAN ARRANGE TRANSLATION.

6. ACCORDING TO POLSERVICE, ONLY THOSE DOCUMENTS
CITED IN APRA 3 AND 4 ABOVE REQUIRE NOTARIZATION/
AUTHENTICATION UNDER POLISH LAWS AND REGULATIONS.
DAVIES

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